WP(C) 5909/2007

BEFORE

HON'BLR MR. JUSTICE B.K. SHARMA.

The matter relates to alleged non-payment of Contractor's bill amounting to Rs.2,75,338/- which according to the petitioner, it is entitled to for the contract work, the petitioner has carried out with the respondents.

I have heard Mr. M. Agarwalla, leaned counsel for the petitioner and Mr. P. Talukdar, learned Standing Counsel, Water Resource Department.

According to Mr. Agarwalla, the petiioner has carried out the contract work as indicated in the writ petition. Mr. Talukdar, learned Standing Counsel, on the other hand, submits that the matter needs examination by the respondents.

In view of the above and as agreed to by the learned counsel for the parties, the writ petition is disposed of with a direction to the respondents to examine the claim of the petitioner and upon such examination, if is found that the petitioner is entitled to the aforesaid amount Rs.2,75,338/- for the contract work which he carried out under the respondents, the same shall be disbursed to the petitioner. The entire exercise shall be carried out within a period of three months form the date of receipt of the certified copy of this order, which the petitioner shall furnish to the respondents along with a copy of the writ petition and its enclosures.

The respondents may also verify as to whether the petitioner executed the works in question at all and if so, as per the specification of the work order and to the satisfaction of the respondents.

The respondents may also examine as to whether the claim made by the petitioner is barred by limitation.